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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1304/2016**

SANDHYA GOYAL Petitioner
Through : Mr. Wajeeh Shafiq, Adv.
Versus

THE STATE (GOVT OF NCT, DELHI) Respondent
Through : Ms. Kusum Dhalla, APP with
Inspector B. K. Singh, DIU/NE.
Mr. Pradeep, Adv. for complainant.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **22.06.2016**

Crl. M.A. 10010/2016 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

BAIL APPLN. 1304/2016

Petitioner seeks anticipatory bail in FIR No.141/2015 under section 420/120-B/34 IPC registered at police station Sonia Vihar.

Heard and perused the status report and the record brought by the investigating officer. As per the complainant, petitioner had entered into an agreement dated 7th August, 2012 with the complainant in respect of the agricultural land ad-measuring 26 Bighas forming part of Khasra No.398 at

Village Sabhapur Illaka, Shahdara, Delhi for a total sale consideration of Rs.26,62,50,000/- and received Rs.4,50,00,000/- in cash and Rs.1,00,00,000/- by way of cheque bearing no.647672 dated 7th August, 2012 drawn at Corporation Bank, Kabir Nagar, Shahdara, Delhi towards earnest money. It has been alleged that at the time of entering the agreement, petitioner had represented that the property was free from all encumbrances. However, subsequently, it was revealed that property was not free from encumbrances. It was the subject matter of CS(OS) No.1760/2012 titled as Kamlesh Kumari & Anr. Vs. Sandhya Devi & Anr. wherein petitioner was restrained from interfering in the actual peaceful possession of Smt. Kamlesh Kumari. Not only this, Will dated 21st March, 2010 of Late Shri Shyam Sunder Goel propounded by the petitioner was a forged document, in respect whereof FIR No.191/2012 under Section 420/408/471/120-B IPC was registered at police station Jafrabad, against the petitioner and the co-accused Yashpal Singh and Ashok Kumar. However, these facts were not disclosed by the petitioner to the complainant at the time of entering the agreement.

Co-accused Yashpal Singh and Ashok Kumar are in custody. Petitioner has been absconding and has since been declared a proclaimed

offender.

Keeping in mind the serious allegations, as culled out hereinabove, I am of the view that petitioner is not entitled to anticipatory bail. Application is dismissed.

DASTI.

A.K. PATHAK, J.
(VACATION JUDGE)

JUNE 22, 2016/dk